IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Writ Petition No. 876 of 1993

Laxmi Woollen Mills Estate
Pvt.Ltd. and another ..Petitioners

vs.

Municipal Corporation of
Greater Bombay and ors. ..Respondents

Mr.C.M.Korde with Mr.Milind Jadhav and Ms.Ruksana i/b M/s Vinod Mistry and Co. for petitioners

Mr.K.K.Singhvi, Sr.Counsel with Mrs.N.V.Sanglikar for respondent nos.1 to 3

Mrs.Madhubala Kajale, A.G.P. for respondent no.4.

CORAM: A.P.SHAH &
S.J.VAZIFDAR JJ.
7th April, 2005

P.C.

1. We have heard Mr.Korde, learned Counsel appearing for the petitioners and Mr.Singhavi, learned Counsel appearing for the respondents.

2. The above matter was heard by us for some time. Thereafter on our suggestion the learned Counsel Mr.Singhavi agreed to consider the matter of fixation of lease rent de novo after giving an opportunity of hearing to the petitioners. Mr.Singhavi stated that hearing will be given to the petitioners by the officer not less than the rank of Deputy Commissioner.

3. By consent of parties we direct the petitioners

to pay adhoc lease rent at the rate of Rs.1,00,000/- with effect from 1982. The learned Counsel for the petitioners agreed to deposit 50% of the differential amount of lease rent from 1982 within one month from today and balance 50% within one month thereafter.

4. Petitioners are directed to appear before the Competent Authority on 25th April, 2005. It would be open for the petitioners to produce further and additional material before the Competent authority if so advised.

5. All contentions on merits are left open to the parties.

6. In case the order that may be passed by the Competent Authority is adverse to the petitioners the same shall not be implemented for a period of 4 weeks from the date of service thereof upon the petitioners.

7. Petition is disposed of accordingly.